

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**RATTANAK M. SARIK,**  
*Petitioner*

v.

**THOMAS MCGINLEY, et al.,**  
*Respondents*

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**CIVIL ACTION**

**NO. 23-cv-5043**

**ORDER**

**AND NOW**, this **12th** day of **August 2024**, upon consideration of the Petition for Writ of *Habeas Corpus* (ECF No. 1), the response to the Petition (ECF No. 8), the Report and Recommendation filed by United States Magistrate Judge Elizabeth T. Hey (ECF No. 9), and no objections to the Report and Recommendation having been filed, and after a thorough and independent review of the record, it is **ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Elizabeth T. Hey is **APPROVED** and **ADOPTED**.
2. The Petition for Writ of *Habeas Corpus* is **DISMISSED WITHOUT PREJUDICE**; and
3. No certificate of appealability shall issue because the petitioner has not made a substantial showing of the denial of a constitutional right under 28 U.S.C. § 2253(c)(2).

**BY THE COURT:**

/s/ **Chad F. Kenney**

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**CHAD F. KENNEY, JUDGE**